United Nations S/2014/651

Security Council

Distr.: General
28 August 2014

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 28 August 2014 from the Permanent Representative of the United States of America to the United Nations stating that Mr. Stephen Gee has been appointed alternate representative of the United States on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

14-60449 (E) 050914

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Security Council

Distr.: General
5 September 2014

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Letter dated 5 September 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council

I have the honour to enclose herewith the statement of the President of Ukraine, Petro Poroshenko, on the ceasefire starting from 1800 (Kyiv time), 5 September 2014 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Yuriy **Sergeyev**
Permanent Representative

14-60525 (E) 050914

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Annex to the letter dated 5 September 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council

Statement of the President of Ukraine, Petro Poroshenko

My international negotiations in Brussels and Minsk demonstrated a powerful request for a peaceful political-diplomatic settlement of the conflict in the Donbas. The same mood dominated during my meetings with global leaders at the North Atlantic Treaty Organization summit in Wales.

The entire world strives for peace, and the entire Ukraine strives for peace, including millions of Donbas residents.

The highest value is human life. We must do everything possible and impossible to stop bloodshed and put an end to people's suffering.

Taking into account the call for a ceasefire of the President of Russia, Vladimir Putin, addressed to the heads of illegal armed groups of the Donbas and the signing of the protocol at the meeting of the Trilateral Contact Group on the implementation of the peace plan of the President of Ukraine, I order the Chief of the General Staff of the Armed Forces of Ukraine to cease fire starting from 1800 (Kyiv time), 5 September.

I also instruct the Minister for Foreign Affairs of Ukraine to ensure, jointly with the Organization for Security and Cooperation in Europe, efficient international control over compliance with the ceasefire regime, which must be exclusively bilateral.

I hope that these agreements, including the ceasefire and the liberation of hostages, will be strictly observed.

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Distr.: General
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Report of the Secretary-General on the United Nations Support Mission in Libya

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2144 (2014) of 14 March 2014. It covers major political and security developments in Libya, provides an overview of the human rights situation in the country and outlines the activities of the United Nations Support Mission in Libya (UNSMIL) since my report of 26 February 2014 (S/2014/131).

II. Political and security-related developments

2. The reporting period witnessed the most serious outbreak of armed conflict in Tripoli, Benghazi and elsewhere in the country, since 2011. The use of heavy weaponry in densely populated areas by all sides, in particular in the capital, resulted in an unprecedented movement of population as civilians tried to escape the fighting. An estimated 100,000 people were displaced in Tripoli, with an additional 20,000 in the east. At least 100,000 are known to have crossed the borders into neighbouring countries. The conflict also caused the vast majority of the international community present in Libya, including the United Nations, to temporarily withdraw from the country.

3. The intense fighting brought about a rapid deterioration in living conditions, including shortages of food, fuel, water and electricity, along with a rise in criminal activity. Significant damage and destruction to public installations in Tripoli's southern and western suburbs, including the international airport, main oil depot, roads and bridges, were reported. Numerous reports of abductions, looting, burning of homes and other acts of revenge have surfaced.

4. Following six weeks of armed hostilities in the capital in July and August, Libya appeared to be descending into a period of instability and uncertainty. In a direct challenge to the authority of the newly elected House of Representatives, which had earlier resolved that groups fighting under the banner of the Libya Dawn operation, along with Ansar al-Sharia, were terrorists and outlaws, the Libya Dawn coalition called upon the former General National Congress to convene, charging that the transitional caretaker government and the newly elected House of Representatives had violated the Constitutional Declaration and consequently lost legitimacy. These actions risk creating parallel legislative and executive bodies.

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5. The fighting in Tripoli was preceded by the launch of a military operation in the east of the country led by retired General Khalifa Haftar. General Haftar initially purported to target the extremist organization Ansar al-Sharia, but other groups, including units officially recognized, funded and nominally under the command of the Army Chief of General Staff, were also attacked and joined ranks with Ansar al-Sharia. Meanwhile, the continuing campaign of violence and assassinations against security and judicial personnel extended to an ever-increasing number of civil society activists, particularly in Benghazi.

6. On 27 August, the Security Council adopted its resolution 2174 (2014), in which it called upon all parties to agree to an immediate ceasefire and to engage in an inclusive Libyan-led political dialogue and decided that sanctions could be applied to individuals or entities that threaten the peace, stability or security of Libya or obstruct or undermine the political transition process.

Continued political polarization and uncertainty

7. Prior to the outbreak of armed conflict in Tripoli, Libya began its third transitional period with the holding of elections, on 25 June, for a new 200-member legislative body: the House of Representatives. Turnout for the elections was estimated at around 42 per cent of the 1.5 million registered voters, a significant decrease compared with the General National Congress elections of July 2012.

8. Hopes had been pinned on the elections to the House of Representatives, with an expectation that they would finally break the political impasse of the past year. The new Parliament convened for the first time on 4 August in the eastern city of Tobruk. Guests from the League of Arab States, the Organization of Islamic Cooperation and UNSMIL attended the inaugural ceremony. However, only 158 of the 188 elected members were present. Those who did not attend cited legal and procedural considerations for their absence.

9. The legislative body elected a speaker and two deputies. It also amended the Constitutional Declaration and restored some of the powers previously attributed to the President to the House of Representatives until the President of Libya is elected. The House of Representatives also called for an immediate and unconditional ceasefire, to be complied with by all parties, and for the United Nations to supervise the implementation of the ceasefire agreement.

10. The decision to hold early parliamentary elections on 25 June followed months of political wrangling over the tenure of the General National Congress and its legitimacy after 7 February 2014, the controversial date of its expiry. Opponents contested the decisions of the General National Congress and organized a political and media campaign aimed at its removal, albeit with limited success.

11. Tensions heightened and public pressure escalated, leading to violence on 2 March, when protestors stormed the legislative chambers of the General National Congress. On 12 March, the General National Congress voted to approve a set of amendments to the Constitutional Declaration. Those amendments were based on the proposals of the "February committee", a 15-member body created to propose legislative reforms and a road map for managing the remainder of the transition. Some of its recommendations were adopted, the most important being the provision for early legislative elections.

12. Following several attempts over the past year to remove Prime Minister Ali Zeidan from office, various groups within the General National Congress, including the Islamists, successfully passed a vote of no confidence on 12 March. They accused Mr. Zeidan of failing to tackle growing insecurity and for inadequately addressing issues of service delivery. Mr. Zeidan was also criticized for his handling of the occupation of a number of oil terminals in the east by federalist armed groups.

13. The Minister of Defence, Abdullah al-Thinni, was asked to serve as caretaker Prime Minister. As the General National Congress sought to appoint a new Prime Minister, the deep polarization among the political forces became apparent and the stage was set for a prolonged government crisis.

14. On 4 May, in a controversial vote criticized on the grounds that it had violated internal rules of procedure, the General National Congress elected Ahmed Meiteeg to succeed caretaker Prime Minister Abdullah al-Thinni. The move prompted a group of 14 General National Congress members to file a legal challenge with the Supreme Court contesting the vote. The General National Congress pressed ahead, however, with the confirmation of Mr. Meiteeg's cabinet on 26 May. Mr. al-Thinni responded by insisting that he would not vacate his position until the Supreme Court had issued its ruling.

15. Following a two-week standoff, the government crisis over the contested premiership was resolved peacefully. On 9 June, the Supreme Court's constitutional chamber declared the decision by the General National Congress to appoint Mr. Meiteeg unconstitutional. The General National Congress moved quickly to announce that it would abide by the decision, as did Mr. Meiteeg.

Outbreak of conflict in Tripoli

16. On 5 July, against the backdrop of heightened tensions and mutual recriminations between rival military camps in the capital, an incident involving members of rival brigades at a checkpoint in the Janzour area of Tripoli, near the compound of UNSMIL, triggered fighting that quickly escalated into heavy intermittent clashes spreading to other parts of western Tripoli. The compound was hit by scores of bullets of various calibres during the night from 5 to 6 July.

17. Much of the initial military effort focused on attempts to dislodge the Qa'qa brigade from the international airport, which it has controlled for the past three years. The confrontations saw three Misratan brigades — technically under the control of the Ministry of the Interior — enter the fray, supported by other Tripoli-based brigades, with the declared objective of expelling from Tripoli the two Zintan brigades (including Qa'qa), which were under the nominal control of the Ministry of Defence.

18. On 13 July, Misratan and Zintan military council representatives, along with figures from several other brigades and military formations, met to secure agreement for the establishment of a joint force to protect the capital's international airport but failed to prevent subsequent fighting. The exchange of heavy artillery and rocket fire in and around the airport left large sections of it, along with a number of parked aircraft, badly damaged or destroyed. All air travel from and to the airport was suspended.

19. Despite appeals to the warring factions for an immediate ceasefire and dialogue, the fighting soon engulfed other parts of the capital, with reports of indiscriminate shelling of heavily populated residential areas. Both parties mobilized by bringing large numbers of troops and heavy armaments into Tripoli. On 13 and 14 July, three brigades linked to Misrata, supported by other brigades, including Fursan Janzour, launched an attack against the Zintan brigades, resulting in additional damage to the airport. Scores of civilians were killed as a result, and many more were forced to flee their homes.

20. On 15 July, a government spokesperson reported that consideration was being given to making a call for international support to protect the civilian population and vital installations. On 17 July, the Minister for Foreign Affairs, Mohamed Abdelaziz, addressed the Security Council and appealed for the establishment of a United Nations stabilization and institution-building mission for Libya as a means of empowering the Government of Libya and preventing the country from turning into a failed State. In response, the President of the General National Congress, Nouri Abu-Sahmain, and a number of party leaders issued statements rejecting what they saw as the Government's calls for international intervention.

21. On 7 August, a delegation from UNSMIL led by my Deputy Special Representative travelled to Tripoli for consultations with the Libyan parties to end the violence in the country and assess humanitarian needs. The delegation met with a wide range of political and military actors over 12 days. While all the participants engaged constructively in the proposals for a ceasefire, it was clear that more work was needed to overcome mistrust between the parties to the conflict.

22. Following a major offensive on military bases and other positions held by the Qa'qa and Sawaiq brigades in Tripoli, the Libya Dawn military coalition declared on 23 August that it had achieved its primary objective of evicting the Zintan-linked brigades from the capital. Both parties to the conflict are nominally under the command of the Libyan authorities.

Situation in the east

23. Air strikes against several positions belonging to the Libya Dawn coalition conducted before and in the days following the declaration of victory by the coalition did little to thwart its advance. There has been no independent confirmation of the identity of the fighter jets that carried out the air strikes.

24. In mid-May, General Haftar called on elements of the Libyan armed forces to mobilize against the extremist group Ansar al-Sharia and brigades allied with it. The ensuing conflict in Benghazi and other parts of the east came to reflect the deep splits that have characterized the Libyan political scene over the past year. While General Haftar's "Operation Dignity" elicited some support from a number of quarters, it also had critics, many of whom cited the legacy of authoritarian rule of Libya and accused General Haftar of attempting to stage a coup.

25. Since fighting began in mid-May, violence has gradually escalated, spreading in some cases to heavily populated residential areas. Indiscriminate shelling has reportedly resulted in deaths and injuries to civilians, including children. The use of the air force by General Haftar, particularly in built-up areas, has fuelled concerns regarding the risk to civilian lives. The involvement of elements of the Libyan

armed forces further illustrated the difficulties relating to limited centralized command and control within the institution.

26. Elsewhere in the east, the nine-month stand-off between the Libyan authorities and federalist armed groups over control of four oil terminals was finally resolved on 6 April, after both sides agreed on a phased reopening of the terminals. The agreement was probably influenced by the setback to federalist plans to sell crude oil directly to prospective clients, following the adoption of Security Council resolution 2146 (2014) regarding illicit oil exports from Libya, and the capture by the naval forces of the United States of America of a tanker laden with illicit Libyan crude oil.

27. In return for reopening the terminals, the authorities agreed to investigate all cases of financial and administrative mismanagement in the oil sector since 2011, drop all legal proceedings against those involved in the closures, pay petroleum guards past salaries and entitlements, and relocate their headquarters to Brega, in the east.

28. On 15 June, United States special forces apprehended Ahmed Abu-Khattalah in a covert operation in Benghazi and transferred him to United States civilian law enforcement custody. Mr. Abu-Khattalah had been designated by the United States as a terrorist in January 2014 and is the only person to have been publicly charged with having been involved in the attack on the United States consulate in Benghazi on 11 September 2012, which claimed the lives of Ambassador J. Christopher Stevens and three others. The Government of Libya issued a statement demanding the return of Mr. Abu-Khattalah and blaming revolutionaries in the east for obstructing efforts by the Government to arrest him.

29. While violence increased significantly in May, the campaign of assassinating, kidnapping and intimidating former government officials, journalists, civil society activists and others continued throughout the reporting period. Most notably, on 25 June, unknown assailants murdered Salwa Bugaighis, a human rights defender and the Vice-President of the National Dialogue Preparatory Commission, at her home in Benghazi. Her husband, who was also present, has gone missing and their guard was subsequently murdered. On 17 July, Fariha al-Berkawi, a former General National Congress member, was assassinated in Derna.

30. Against a backdrop of deteriorating security in the east, during the reporting period a number of incidents took place in which foreign nationals were targeted, some because of their faith. In late February, the bodies of seven Egyptian Coptic Christians were found near Benghazi. The incident prompted Egypt to issue a travel warning to citizens visiting or residing in Libya. In July, two nationals of the Philippines were abducted and then killed, prompting the Government of the Philippines to advise its citizens in Libya to leave the country.

Southern Libya

31. Tribal and ethnic tensions in the south of Libya led to a series of sporadic clashes throughout the reporting period. The deployment in Sabha earlier in 2014 of forces from Misrata, to act as a buffer and provide a measure of stability, has, however, contributed to a reduction in hostilities between armed groups from the Awlad Suleiman and Tabu communities. Although mediation efforts in May by the Government and tribal leadership resulted in the release of 16 prisoners by both

sides, the agreed truce remains fragile, given the continued absence of an overall comprehensive agreement to address underlying grievances. Incidents of abductions and killings targeting members of each community continue to recur.

32. On 12 June, tensions between the Tuareg and the Arab Ahali communities in the town of Jerma led to violence, triggered on that occasion by Tuareg complaints over access to fuel. Six people were killed in the clashes that ensued.

33. In Kufra, in the south-east, a ceasefire agreement signed on 1 March between Tabu and Arab Zwaya leaders contributed to a major reduction in violence and an improvement in the overall humanitarian situation in the area. The ceasefire agreement provided for the deployment of Benghazi-based brigades to secure Kufra, the Sarir oil field and the major road leading from the coast. As a result, the flow of goods, electricity and water to the area resumed. A dispute over municipal and electoral constituency boundaries, which has been a main source of contention between the two communities, remains unresolved.

Good offices of the United Nations Support Mission in Libya

34. My Special Representative continued to offer his good offices with the purpose of defusing tension and contributing to prevent a military confrontation in Tripoli. In an attempt to break the impasse, he undertook a series of consultations with leaders from across the political spectrum, as well as with revolutionary figures, to gauge interest in the UNSMIL proposal for a two-day political dialogue conference, scheduled to be held on 18 and 19 June. The aim of the conference was to forge a consensus that would allow for an environment that was more conducive to holding parliamentary elections and for a shared understanding on priorities and management for the remainder of the transitional period until a new constitution was adopted.

35. In undertaking consultations for the political dialogue conference, UNSMIL liaised and consulted closely with all the major Libyan actors, as well as with the special envoys for Libya, on arrangements and possible outcomes. The leaking of preliminary drafts of preparatory documents into the public domain and the manner in which some local media outlets, and subsequently a number of public figures, misinterpreted the intentions of UNSMIL, effectively scuttled any chance of convening the political dialogue conference before the elections. More importantly, political leaders who had previously agreed to take part in a political dialogue before the elections expressed the opinion that it was not a good time to hold such a conference and that doing so would be beneficial to their opponents. In view of the highly charged atmosphere that followed the media furore, which was marked by baseless accusations, and following consultations with the special envoys, UNSMIL decided to postpone the conference. It is regrettable that an opportunity for political dialogue, requested by the Libyans and certainly not imposed on them, was missed.

Constitution drafting process

36. Security developments in the country notwithstanding, the constitutional process continued to move forward throughout the reporting period. On 20 February, initial polling in the national election for the Constitution Drafting Assembly, although disrupted by boycotts and security problems, was sufficient to allow the High National Election Commission to announce preliminary results in 47 of the 60 races. Three rounds of subsequent polling filled 8 of the remaining

13 seats. The Amazigh community, however, boycotted the process and security threats prevented polling in Derna. The Tabu and Tuareg communities, on the other hand, are now both represented on the Assembly. There are no plans to fill the remaining empty seats by election, but the Assembly is pursuing efforts to engage with the affected constituencies.

37. On 21 April, the General National Congress convened the first session of the Constitution Drafting Assembly in Al Baida. Following an opening ceremony, the members elected their Chair, Deputy Chair and Rapporteur, and adopted rules of procedure. The Assembly has since agreed upon an internal committee structure, workplans and a public outreach strategy, and has begun deploying delegations to various parts of the country to consult with the public on constitutional issues.

38. The work of the Constitution Drafting Assembly to date has proven relatively uncontroversial. Although headquartered in what is considered one of the safest cities in Libya, the Assembly has not been exempted from security risks. On 26 June, a car bomb exploded in a parking lot outside its headquarters and, on 2 July, local authorities found and disarmed two explosive devices at AlBaida airport. On 25 August, three rockets fell in the vicinity of the airport. Neither incident resulted in casualties.

39. The Constitutional Declaration required the Constitution Drafting Assembly to adopt a draft of the constitutional text for public referendum by 19 August. That schedule did not provide the Assembly with sufficient time to complete its work. The Constitution Drafting Assembly is currently drafting a report, to be submitted to the House of Representatives, detailing its accomplishments and requesting a further extension of its mandate.

40. At the request of the Constitution Drafting Assembly, UNSMIL provided analytical papers on several substantive and organizational issues and started working with the Assembly to help it clarify the specific assistance needed from the international community. UNSMIL stands ready to provide additional technical assistance as needed and continues its efforts at the request of the Assembly's leadership to coordinate international support for the constitutional process.

41. The United Nations has also provided the Constitution Drafting Assembly with a collection of digital reference materials on comparative constitutional law and processes. UNSMIL organized training sessions for non-governmental organizations, representatives of the media and legal professionals on women's rights in the Constitution. In partnership with a range of women's organizations, the Mission launched a women's dialogue initiative to promote public debate on constitutional issues of particular importance to women. The United Nations Development Programme (UNDP) finalized a media communications guide for the Assembly and, at its request, started working on providing media outreach advisory support. Furthermore, UNDP provided support to 19 Libyan civil society organizations working across the country on constitutional civic education and the development of recommendations for the Assembly.

Municipal elections

42. Despite security challenges, during the reporting period municipal elections were held in 65 of the country's 102 municipalities, including in Libya's largest cities, namely Tripoli, Benghazi, Sabha and Misrata. UNDP procured electoral

material on behalf of the Central Committee for Municipal Council Elections, the national entity entrusted with overseeing municipal council elections. The decision to proceed with the elections, taken despite the continued absence of clear administrative delineations of some of the country's municipalities, was in response to growing public demand for improved and decentralized local service delivery and more focused local development priorities. Capacities at the municipal and central levels remain wholly inadequate to respond to these needs, however, and there continues to be a lack of effective coordination structures and financial mechanisms, which will probably hinder progress on this front.

III. Other activities of the United Nations Support Mission in Libya

A. Electoral support

43. On 25 June, the High National Elections Commission successfully conducted polling for the election of members of the House of Representatives. Unlike for the election of the General National Congress in June 2012, all the candidates for the House of Representatives ran as individual candidates.

44. While the Commission was tasked with preparing for the elections in March, uncertainty over the polling date persisted throughout the registration period. On 29 May, a polling date of 25 June was announced. Registration ran from 23 April to 29 May, during which time 400,000 names were added to the existing registry, bringing the total number of registered voters to 1.5 million. An estimated 42 per cent of registered Libyans went to the polls to elect 200 members from among 1,714 candidates. Of the candidates, 149 contested the 32 seats reserved for women. Out-of-country voting took place in 13 countries on 21 and 22 June with no major incidents, yielding a total voter turnout of 3,816 (38 per cent of registered voters), including 1,147 women (who represented 30 per cent of those who cast a ballot).

45. Only 3 per cent of polling centres, located in the areas west of Tripoli, the eastern city of Derna and the southern city of Kufra, remained closed on 25 June. As for the elections for the Constitution Drafting Assembly of February 2014, the Amazigh community declined to present candidates or register voters, demanding constitutional guarantees for their rights.

46. Violence on election day affected 24 polling centres, most notably in Sabha, Zawiya, Awbari, Sirte and Benghazi; threats to candidates, voters, electoral officials and materials were also reported. On 23 June, unknown gunmen killed a candidate in Sabha. In Benghazi, two warehouses previously used to store polling materials were attacked and burned the evening of the vote. In Zawiya, a convoy carrying polling materials from polling centres to a warehouse was attacked in transit, and materials for 41 of 49 polling stations were stolen. The Commission's office in Al Baida was forced to close twice after local grievances erupted into violence.

47. On 22 July, the Commission announced the final results of the election. Owing to disruptions in polling, the results for 12 seats remain unconfirmed. While the Commission had earlier submitted a request to the General National Congress for a decision to allow polling to fill the seats concerned, no decision was reached. Final results for the 188 seats announced incorporated amendments arising from irregularities identified in 24 polling stations in 6 polling centres, as well as the

disqualification of one leading candidate in Sirte by the High Commission for the Application of Standards for Assuming Public Office, the body responsible for vetting candidates in accordance with the 2013 Political and Administrative Isolation Law.

48. By and large, international and domestic observers, representatives of the media and accredited guests commended the performance of the Libyan electoral authorities. The Libyan Association for Democracy, the largest national observation umbrella group, cited minor technical issues and inconsistencies but acknowledged that polling was generally well organized.

49. The United Nations provided the Libyan authorities with a team of advisers in all areas of electoral operations, external relations and public awareness. The advisers provided targeted support to the electoral operations in order to accommodate the compressed timeline and provided electoral materials and services critical to the successful conduct of the election. UNSMIL engaged with government representatives, media representatives and activists to encourage more women to register as candidates and held capacity-building and training sessions for women candidates in Benghazi and Tripoli.

B. Human rights, transitional justice and the rule of law

50. Throughout the reporting period, UNSMIL continued to provide technical assistance to national counterparts to strengthen the administration of justice, support the implementation of the transitional justice law and build the capacity of national human rights bodies and the coordination of international assistance to Libya.

Detentions

51. UNSMIL worked closely with the judicial police in February and March to establish a census of prison inmates and facilitate screening by public prosecutors. As a result, a list of over 6,200 inmates, including 10 children, was drawn up with information on charges, the status of the investigation and the period of detention. Only 10 per cent of the inmates had been tried. UNSMIL also provided capacity-building support to the judicial police to strengthen its information system in order to ensure a permanent means of maintaining timely data on detainees. Although the law required the judicial screening of all such detainees by 2 April, the task remains outstanding.

Judiciary

52. UNSMIL continued to work with the Supreme Judicial Council to advocate the need to adopt a judicial reform strategy based on the recommendations of the committee of national experts previously established by the Council. Additionally, UNDP, in coordination with UNSMIL, organized meetings for the Council with counterparts in Italy and the Netherlands on comparative examples in the area of the administration of justice. In close consultation with the Council, UNDP and UNSMIL also initiated a capacity-building initiative targeting 900 judicial members and the High Judicial Institute. The security situation, however, hindered progress. Furthermore, UNDP, in close consultation with UNSMIL, launched a baseline survey on access to justice for internally displaced persons in Tripoli and Benghazi.

53. Assaults and threats of violence against judges and prosecutors continued to impede judicial work. Courts in Derna, Benghazi and Sirte stopped working in March. Continuing attacks against the judicial police also remain a serious concern. On 8 May, five judicial police members were killed and six were injured during an operation after being surrounded by criminals who opened fire on them in a Tripoli suburb. The judicial police members went on strike for weeks to protest their precarious position.

Trials of officials of the former regime

54. The trial of 37 former regime officials, including Saif al-Islam Qadhafi and Abdullah al-Senussi, began in Tripoli on 24 March. Nine of the defendants, including Mr. Qadhafi, are taking part in the proceedings remotely, by video link, in accordance with the recently amended Code of Criminal Procedure. UNSMIL is monitoring the trial closely and has raised concerns about difficulties in ensuring full and fair legal representation for all defendants. The Court appears to be in the process of addressing such matters. On 11 May, a senior UNSMIL staff member observing trial proceedings was detained for an hour and a half, in breach of the status-of-mission agreement, by the armed brigade in control of the Al-Hadhba prison complex, where the trial was being held.

55. On 31 May, the Appeals Chamber of the International Criminal Court upheld the decision of the Pretrial Chamber by which Libya must hand Mr. Qadhafi over to the Court. On 24 July, the Appeals Chamber also upheld the Pretrial Chamber's finding that the case of Mr. Al-Senussi was inadmissible before the International Criminal Court and that he could therefore be tried in Libya.

Transitional justice

56. The General National Congress appointed a committee to select the commissioners for the Fact-Finding and Reconciliation Commission established under the Law on Transitional Justice. While the committee underwent a commendable process of public solicitation of applicants, it was unable to complete its work prior to the elections for the Council of Representatives in June. UNSMIL will work with the new parliament to assist in the completion of the selection process and to help the commissioners with their work.

57. On 24 February, the Supreme Court began hearing six constitutional challenges to the Political and Administrative Isolation Law filed by the National Council for Civil Liberties and Human Rights and several Libyan jurists. The Court deliberated the issue over a number of sessions, which were convened against a backdrop of staged protests and implicit threats. A final decision remains pending.

Violence against women

58. In late February, the Council of Ministers passed a decree to address the situation of victims of sexual violence, primarily women but also men, establishing a specialized fact-finding committee that will also determine reparations. On 27 March, the Minister of Justice appointed the committee, which is to complete its work over a two-year period. The Libyan authorities established a funding mechanism in June 2014 to help support the reparations measures outlined in the law.

Attacks on the media and humanitarian workers

59. Attacks on media outlets and professionals increased during the reporting period. Several television stations were attacked with small arms and rocket-propelled grenades, and a number of journalists were kidnapped or assassinated, including newspaper editor Muftah Awad Abu Zeid, who was murdered on 26 May in Benghazi.

60. On 4 June, Michael Greub, an International Committee of the Red Cross (ICRC) staff member, was assassinated in Sirte, prompting ICRC to suspend its work in the country.

Mixed migration movements

61. Increasing numbers of asylum seekers, refugees and migrants are attempting to reach Europe from Libya by sea. During the period from January to July 2014, more than 88,000 persons arrived in Italy, an estimated 77,000 of whom had departed from Libya. This was already more than double the number recorded for 2013, when some 43,000 people arrived in Italy, half of whom had departed from Libya. In the same period, more than 1,000 persons are believed to have lost their lives in an attempt to reach Europe from Libya by sea. These figures are expected to rise further owing to the sharp deterioration in the security situation in Libya.

62. The outbreak of violence has also led to the departure of many migrant workers through land border exit points. In response, the Libyan authorities held discussions with their immediate neighbours to ensure appropriate management and oversight of border crossing points, while humanitarian entities, including the Libyan Red Crescent, have stepped in to provide practical material assistance at such locations.

63. The detention of asylum seekers, refugees and migrants, including children, continued to be a matter of serious concern. The arbitrary detention of non-nationals remained widespread and prolonged, particularly affecting individuals from sub-Saharan Africa. Those detained do not usually have the means to challenge their detention and are held in extremely poor conditions, with chronic overcrowding and without basic sanitary conditions.

64. The lack of an adequate asylum system and a proper protection framework in Libya, coupled with the widespread use of detention in deplorable conditions, are factors pushing mixed migration movements underground and fuelling the smuggling market towards Europe. Border control measures are not sufficient to address this issue. There is an urgent need to introduce a registration and status determination process for refugees in close cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR), to formalize the role of UNHCR, to reduce the use of detention and to improve conditions in detention centres, in accordance with international standards.

C. Security sector

Disarmament, demobilization and reintegration

65. UNSMIL supported the transition of the Warriors Affairs Commission into the Libyan Programme for Reintegration and Development with advice on

organizational structures and staffing requirements, as well as public information and outreach campaigns. In addition, UNSMIL continues to promote dialogue among armed groups and the Libyan authorities to create conditions conducive to their further integration and reintegration. Efforts also continue with the United Nations country team to promote community safety and weapons control.

Border security

66. UNSMIL continues to support the European Union Border Assistance Mission in Libya and the Libyan authorities with the development of an integrated border management system. The lack of senior government engagement and the continuing security challenges have, however, impeded progress. Discussions are under way to implement the agreement reached on a regional border secretariat, which Libya undertook to provide following the regional ministerial conference on border security held in Rabat on 14 November 2013. The proposals made by Libya received unanimous agreement from neighbouring countries but have yet to gain political and operational traction. The secretariat will be discussed at the next regional ministerial conference, which is to be held in Cairo and is tentatively scheduled for September 2014. The European Union Border Assistance Mission has also evacuated and maintains a small presence in Tunis.

Arms and ammunition management

67. The Arms and Ammunition Advisory Section of UNSMIL, supported through the Mine Action Service of the United Nations, continued to work for the safe and secure management of arms and ammunition, in accordance with the principles of national ownership, by arranging access and ensuring proper management, safe storage and, where appropriate, effective disposal of arms and related materiel.

68. UNSMIL continued to convene monthly international community meetings on arms and ammunition management with the aim of supporting coherent partner efforts and facilitating the coordination of international advice and assistance to the Libyan authorities. UNSMIL coordinates monthly physical security and stockpile management meetings to exchange information and advice on programme activities undertaken by national and international actors to avoid duplication of efforts and ensure that efficient and effective assistance is provided to the relevant Libyan authorities. In addition, temporary arms and ammunition storage areas in Misrata and Zintan were handed over to Libyan authorities who had been trained on safe and secure management of arms and ammunition.

69. UNSMIL continued to provide support for humanitarian mine action to the Libyan Mine Action Centre. UNSMIL supported the Centre with the development of a formal accreditation and tasking process, in accordance with international standards for all organizations working in Libya. Explosive ordnance disposal and battle area clearance took place in Hun, Waddan and Suknah, and mine risk education was provided to the affected population.

70. During the reporting period, UNMAS cleared 37,405 explosive remnants of war, covering an area of 1,154,236 square metres. Although the process was hindered by a shortage of necessary materials, efforts are under way to resolve the matter. A total of 233 education sessions on the risk posed by explosives took place, benefiting 8,028 people.

Defence sector reform

71. UNSMIL provided technical advice on a range of defence issues, including strategic policy, military procurement, training and coordination of international support. In March, the Minister of Defence established a committee, in which UNSMIL was included as a member, to develop a transitional defence policy and military strategy. The defence policy has been completed while the military strategy remains under development.

72. On the basis of an agreement with the Military Procurement Department, UNSMIL provided support on organization and structure, command and control, and coordination of international training programmes.

Police reform

73. UNSMIL supported the Restructuring and Planning Committee of the Ministry of the Interior with strategic and technical advice on the organization, structure and command and control systems of the Libyan police, in accordance with international policing standards. The Mission provided training to build capacity in the areas of criminal investigation, public order, diplomatic security and communications.

74. UNSMIL also provided support to the Ministry of the Interior to enhance security measures for the election of members of the House of Representatives, including in the preparation of an election security plan, the establishment of an elections operations room and the provision of training for the elections security planning committee and district commanders.

75. UNSMIL supported the Libyan authorities in developing and implementing a community-policing model in the district of Tripoli to improve service delivery and enhance police-community relations. The Mission also assisted the Central Integration Committee of the Ministry of the Interior on the integration of revolutionaries from the Supreme Security Committee. UNSMIL and UNDP joined efforts to enhance the professionalization of the police through targeted organizational and technical assistance to the Ministry of the Interior and the police on the basis of identified needs. The political and security situation, however, has hampered efforts to fully operationalize the envisioned technical and institutional assistance.

D. Coordination of international assistance

76. During the reporting period, UNSMIL continued to coordinate international assistance to Libya, including by chairing a number of international coordination groups in the areas of security, human rights, elections, the Constitution and women's empowerment.

77. UNSMIL also assisted the Libyan authorities in preparing two compacts (one on governance and the other on security, justice and the rule of law) adopted by the Ministerial Conference on International Support to Libya held in Rome on 6 March. UNSMIL has since worked closely with its international partners to support the operationalization of the commitments enshrined in the compacts. Follow-up work with the Ministry of Foreign Affairs on the compacts, including translating them into a programme of work with allocated responsibilities and a reporting system,

has, however, been hampered by the deterioration of the political and security situation.

E. Humanitarian situation

78. Considering the potential threat to the livelihood of the Libyan population in general and of vulnerable groups in particular, the United Nations country team revised its inter-agency contingency plan for Libya in June, including with regard to resources requirements, to ensure an adequate humanitarian response in the event that humanitarian operations are scaled up.

79. In response to the humanitarian situation resulting from the outbreak of conflict in Tripoli and Benghazi, the United Nations humanitarian country team, in partnership with other national and international partners, started providing relief assistance, including food and non-food items, to vulnerable groups affected by the conflict. Steps were also taken to repatriate thousands of stranded migrants to their countries of origin. Given the scale of the humanitarian situation, the United Nations humanitarian country team is taking steps to mobilize additional resources to cover the high demand for relief support.

IV. Deployment of the United Nations Support Mission in Libya

80. As at the beginning of July 2014, a total of 229 UNSMIL international and national staff members and government-provided personnel had been deployed. Of the total, 201 were in Tripoli, 6 in Benghazi, 4 in Sabha, 3 at United Nations Headquarters and 15 at the Global Service Centre in Brindisi, Italy. Notably, two international staff members from the Sabha field office and two from the Benghazi field office were relocated to Tripoli.

81. On 7 July, owing to the prevailing security conditions, UNSMIL, in consultation with and with the approval of the relevant departments at United Nations Headquarters, decided to temporarily relocate international staff members in the Mission area. As a result, 69 of the 113 non-security international staff were requested to leave the Mission area.

82. Prompted by fighting in and around the Janzour area, where UNSMIL premises are located, and by the general deterioration in the security situation throughout Tripoli, especially following the attack on the international airport, UNSMIL, in coordination with United Nations Headquarters, took the decision to evacuate almost all remaining internationally recruited staff members from Libya. On 13 and 14 July, those staff members were evacuated by road to Tunisia. UNSMIL informed the Libyan authorities of the decision, who expressed their full understanding. UNSMIL clearly stated that withdrawing from Libya was a temporary measure, motivated solely by security considerations.

83. On 22 July, the temporary evacuation of staff was also extended to all remaining internationally recruited staff members of United Nations agencies, funds and programmes.

84. Five international Security Officers remained in Tripoli, including the Chief Security Adviser, to provide security reporting, daily monitoring of United Nations

premises and assets, and security advice for national staff. Evacuated staff continued to carry out their responsibilities from Tunisia, Brindisi or their home country in order to enable the Mission to continue its work to the extent possible.

V. Safety and security

85. The overall security situation in the country has become increasingly difficult and unpredictable. The situation is further complicated by the absence of law and order, the proliferation of armed groups, the limited capacity of the Libyan security and justice sectors, the politicization and fragmentation of the Libyan armed forces, unresolved tribal disputes and a highly polarized political scene.

86. Security incidents targeting the international community, including carjacking, threats and intimidation, and robberies, increased during the reporting period. Among the most significant were two carjacking incidents that targeted United Nations vehicles, the separate kidnappings of the Ambassador of Jordan and of two staff from the Embassy of Tunisia. All abductees were subsequently released unharmed after enduring long periods of captivity. Armed attacks in Tripoli, one on a vehicle belonging to the Embassy of Portugal and another on the Embassy of Sudan using rocket-propelled grenades, were also reported.

87. On 4 June, four United Nations staff disembarking at Tripoli international airport were detained for about one hour and a half and ill-treated by airport security authorities, in breach of the status-of-mission agreement.

88. With overall security deteriorating in the country, a number of embassies decided to downsize or close their diplomatic missions. Incidents of intimidation and detention of United Nations personnel and other members of the international community were also recorded.

89. In the east, military operations have resulted in the closure of the main airport in Benghazi and the imposition of restrictions on foreigners entering Libya through AlBaida airport. Owing to the security situation in Benghazi, United Nations operations were temporary suspended. Activities in and around Al Baida, however, remain unaffected.

VI. Financial aspects

90. The total resources approved for UNSMIL for the period from 1 January to 31 December 2014 amounts to $69,430,700, constituting $46,681,500 approved by the General Assembly in its resolution 68/247 and an additional $22,749,200 for the strengthening and restructuring of the Security Section of UNSMIL to increase its ability to provide security for the Mission and its staff, approved by the Assembly in its resolution 68/280.

VII. Observations and recommendations

91. Libya's descent into political uncertainty and armed hostilities during the reporting period is deeply alarming. I am particularly concerned about the indiscriminate shelling of civilian areas and the reports of targeted attacks on and

destruction of vital State installations and infrastructure, in addition to reports of abductions, looting, burning of homes and other acts of revenge. In that regard, I wish to remind all parties involved in the armed clashes of their obligations under international law not to carry out indiscriminate attacks or otherwise endanger civilian lives.

92. Those committing crimes under national and international law should be held accountable. In that context, I welcome the reaffirmation by the Prosecutor of the International Criminal Court in July of her readiness to investigate and prosecute those who commit crimes under the Court's jurisdiction, irrespective of their official status or affiliation.

93. I also wish to remind all parties that a durable solution to Libya's political problems can be attained only through an inclusive and meaningful political dialogue that is committed to uphold Libya's democratic transition and political process. The spectre of rival claims of legislative and executive authorities can only deepen the existing political crisis and undermine the country's national unity. I therefore take this opportunity to appeal to Libya's political leaders to show accountable and responsible leadership that safeguards their country from further strife.

94. Critical to any meaningful dialogue will be issues related to security and the building of institutions, as well as the future of armed groups in relation to national military and security structures. In that regard, the United Nations stands ready to provide the assistance and facilitation needed, as it continues to constantly remind the various political actors of the urgency of forging consensus through dialogue on priorities of State-building and national reconciliation and of agreeing on basic norms of peaceful political action.

95. I note with satisfaction progress achieved in the Libyan constitutional process amidst an undeniably difficult political and security environment. However, much remains to be done to deal with unresolved issues regarding the participation of the Amazigh community, assert the independence of the process and protect it against the risks of intimidation and violence. The Constitution Drafting Assembly has remained focused on its work, and its recent request for an UNSMIL office in Al Baida reflects the desire to make effective use of every tool and resource at its disposal. I call upon the international community to support the work of the Constitution Drafting Assembly in a coordinated manner. UNSMIL will spare no effort to secure effective coordination, as mandated by the Security Council and requested by the Constitution Drafting Assembly.

96. Against a background of continuing violence, the uncertain political situation and lack of effective governance continue to hamper progress in security sector reform. Sustainable security sector reform is ultimately a political process that not only concentrates on State institutions but also requires the commitment of the Libyan actors concerned and of the wider population. Libya has yet to demonstrate the sustained political will and efforts necessary to promote an effective and inclusive security dialogue and to generate the consensus needed for true national ownership of a process to reform the security sector.

97. I look forward to the development of a prison census. This is an important step that will contribute to address the problem of detainees who have been awaiting the initiation or completion of judicial investigations since the end of the armed

conflict. I remain concerned about reports of continuing torture, deaths in custody, kidnapping and secret detentions by brigades nominally affiliated to the Ministry of Justice or the Ministry of Defence. The handover of all detainees to the effective control of the State is a prerequisite for the establishment of the rule of law in Libya. I am also gravely concerned about attacks targeting humanitarian workers, human rights defenders and media professionals. I call upon the Libyan authorities to undertake criminal investigations into such incidents and ensure that those responsible are held to account.

98. The trial of Saif al-Islam Qadhafi, Abdullah al-Senussi and 35 other former regime officials is a critical test for Libya's ability to dispense justice. To date, the trial has dealt primarily with procedural issues relating to access to defence counsel. I wish to underscore the need for proper legal representation for all defendants, for complete access by the defence counsel to clients and case files and for the ability of defence counsel to operate without intimidation. In addition, Libya remains under obligation to cooperate with the International Criminal Court and to comply with its decisions.

99. The problems related to migration in Libya are immense, and conditions for migrants remain dire. An ever-increasing concern is the constant flow of migrants and refugees embarking on a dangerous journey across the Mediterranean Sea from Libya to Italy. In that regard, I commend the efforts of the Italian Navy and the Libyan Coast Guard in saving the lives of those in distress at sea. Nonetheless, more effort is needed to prevent the unnecessary loss of life at sea. I urge the Libyan authorities to improve the living situation of the migrants kept in mostly overcrowded and understaffed reception centres in Libya. I also emphasize that the role of the United Nations High Commissioner for Refugees in Libya and other specialized agencies needs to be fully recognized and facilitated by the Libyan authorities.

100. Given the rapidly evolving situation, it is essential to ensure that the United Nations presence and engagement in Libya are appropriate to the context and that the Organization is well-equipped to support the Libyan authorities in confronting current and anticipated challenges. I have therefore asked the United Nations Secretariat to conduct a review of the United Nations presence in Libya, in close partnership with the Libyan authorities and in consultation with regional and international partners. I intend to present recommendations and options in that regard to the Security Council in the coming months.

101. I wish to extend my deepest gratitude to Tarek Mitri, who completed his service as my Special Representative and Head of UNSMIL on 31 August, and welcome my new Special Representative and Head of UNSMIL, Bernardino Leon. I would like to commend the staff of UNSMIL and of the United Nations system in Libya for their continued hard work under extremely difficult and dangerous conditions. I look forward to conditions allowing their return. I also express my deep appreciation to our international partners for their sustained support to the search for lasting peace in Libya. We must continue to strengthen our partnership to meet the challenges together.